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ABSTRACT

Information on law and higher education is presented through approximately 350 cases and materials on colleges in court, noting that the study of higher education law is developing rapidly. Five chapters are as follows: (1) the legal governance of higher education (e.g. what college is, the establishment of private colleges, religion and higher education, the establishment of public colleges and state agency, and consortia and interinstitutional governance); (2) academic freedom (e.g. academic freedom in classroom teaching and research laboratories, who may teach and what is taught, the right to hear, academic freedom in research and publications, how research can be conducted, speech as a matter of public concern, conduct toward students outside class, faculty as citizens in society, and academic freedom for students and others on campus); (3) the law and the faculty (e.g. tenure and promotion, tenure and race, firing faculty, seniority and age discrimination, financial exigency, tenure density, sexual harassment, conflicts of interest, and collective bargaining); (4) students and the law (e.g. the legal relationship between colleges and students, tort theories, grades, student admissions, academic dismissals, student fees, and residency requirements); and (5) affirmative action (affirmative action and students, affirmative action and institutions, and affirmative action in employment). Three appendices are: sensitive compartmented information nondisclosure agreement; proposed scheme for a pontifical document on Catholic universities; and statement on academic freedom, Southern Baptist Convention. (SM)

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